

Serial No.: 10/656,694

Attorney's Docket No.:10559/240002/P8889C

REMARKS

Claims 1-16 are pending, with claims 1, 5, 9 and 13 being independent. Claims 3, 7, 11 and 15 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 3, 7, 11 and 15 stand objected to for informalities. While these claims are definite as written, and have not been officially rejected under a statutory provision, they have nonetheless been amended as suggested by the Examiner. Thus, withdrawal of the objection is respectfully requested.

Claims 1-16 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Gai et al (US Patent No. 6,032,194). This contention is respectfully traversed.

The claimed subject matter includes recovering a spanning tree for a network having switches based on the switches' relative distances to the network core, where the network core represents a high bandwidth portion of the network and comprises multiple core switches, and each of the core switches has a distance to network core of zero. This claimed subject matter can provide significant increases in the speed and efficiency with which network traffic can be handled, particularly when the network core is made up of multiple switches in an arbitrary meshed topology providing a high bandwidth top layer for a

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hierarchical network created by the spanning tree. This can also enable fast failure detection and enable fast root recovery. This is supported by the specification, for example, at page 4, lines 7-21; page 7, lines 6-12; page 7, lines 24-25; page 8, lines 14-18; page 9, lines 1-7; page 10, lines 7-10; page 10, line 23 to page 11, line 12; and Appendix A.

Gai is directed to rapidly recovering a spanning tree, but Gai fails to teach or suggest use of relative distances to a network core comprising multiple core switches, where each of the core switches has a distance to network core of zero. Gai makes clear that the root path cost information used in Gai is the distance to the assumed root switch, and not to a network core of multiple switches: "Each BPDU typically includes, in part, the following information: the identifier of the switch assumed to be the root (by the switch transmitting the BPDU), the root path cost to the assumed root and the identifier of the switch transmitting the BPDU." (See Gai at col. 3, lines 1-5.)

Gai does mention that the settable portion of an identifier for a backbone switch can be substantially decreased in order to force selection of that one switch as the root switch for the spanning tree. But this neither teaches nor suggests demarcation of a group of switches as a network core and using distance to core information during recovery of a network spanning tree. Each of the core switches in the claimed subject

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matter has a distance to network core of zero because they are located in the network core. Gai fails to teach or suggest this aspect of the claimed subject matter.

Dependent claims 2-4, 6-8, 10-12 and 14-16 are patentable for at least the above reasons, and based on their own merits. Therefore, it is respectfully suggested that all pending claims, 1-16, are now in full condition for allowance and an official notice of allowance is requested to issue at an early date.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not signify concession of unpatentability of the claim prior to its amendment.

It is respectfully suggested for all of these reasons, that the current rejection is totally overcome; that none of the cited art teaches or suggests the features which are now claimed, and therefore that all of these claims should be in

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condition for allowance. A formal notice of allowance is thus respectfully requested.

No fees are believed due with this response. Please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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